



**HUMAN RESOURCES OFFICE
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

Number: 04-25

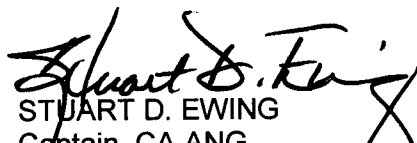
24 MAY 04

**GRANTING LEAVE FOR PERFORMANCE OF ACTIVE DUTY
DURING WAR OR NATIONAL EMERGENCY
(44 Work Days – 352 Hours)**

NO EXPIRATION

This TAAI supersedes TAAI 04-03, Active Duty Without Pay – 44 Work Days (352 Hours), dated 22 Jan 04, in its entirety due to guidance received from National Guard Bureau and DoD.

1. The Judge Advocate General, National Guard Bureau, issued an opinion on granting of the 44 days military leave during war or national emergency, dated 2 Oct 02. On 19 Apr 04, DoD General Counsel agreed with this opinion and further advised that policy regarding use of the leave authorized in section 6323(d) of title 5, United States Code, should be based on that opinion. The national emergency declared by the President on 14 Sep 2001 is the type of "national emergency declared by the President or Congress" referred to in 5 USC 6323(d)(1).
2. The granting of the 44 days military leave to technicians to perform active duty supporting overseas missions in a non-combat area is suspended until further notice. Until the national emergency, or other national emergencies declared by the President or Congress has been declared over, requests to use part or all of the 44 days of military leave must be denied.
3. If you have any questions, contact Nancy Hamilton, Human Resources Specialist, at CAGNET 63411, DSN 466-3411 or (916) 854-3411.


STUART D. EWING
Captain, CA ANG
Deputy, Human Resources Officer

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